

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

FRONTIER COMMUNICATIONS
CORPORATION,

Plaintiff

v.

BARRETT PAVING MATERIALS,
INC., et al,

Defendants

Civil No. 07-113-B-S

ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

No objections having been filed to the Magistrate Judge's Recommended Decision (Docket No. 165) filed September 23, 2009, the Recommended Decision is **AFFIRMED.**

Accordingly, it is **ORDERED** that Plaintiff's Motion for Partial Summary Judgment (Docket No. 110) is **DENIED** without prejudice to its right to renew the motion following the close of discovery. It is also **ORDERED** that the Motion for Discovery (Docket No. 139) filed by the Railroad Defendants is **MOOTED.**

/s/ George Z. Singal
United States District Judge

Dated this 15th day of October, 2009.